

PTO/SB/25 (08-03)

Approved for use through 07/31/2005, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

PC 10580B

In re Application of: Collington, Eric William

Application No.: 10/061,040

Filed: 01/30/2002

For: RESORCINOL DERIVATIVES

The owner, Pfizer Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/020,037 filed on 12/21/2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Rosanne Goodman 8/25/04
Signature Date

Rosanne Goodman #32,534
Typed or printed name

(734) 622-4182
Telephone Number

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/98 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/061,040
Attorney Docket No.
PC10580B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Collington, Eric William :
APPLICATION NO.:10/061,040 : Examiner:Channavajjala, L.
FILING DATE: January 30, 2002 : Group Art Unit:1615
TITLE: RESORCINOL DERIVATIVES : Confirmation No.: 9635

TERMINAL DISCLAIMER OVER PATENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pfizer Inc. is the owner of 100% interest in the above-captioned application; and in U.S. Patent No 6,132,740, issued October 17, 2000. Pfizer Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term of U. S. Patent No 6,132,740, including any patent term extensions, restorations or adjustments for said patent available under all applicable statutes including 35 U.S.C. §§ 154 through 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,132,740. The owner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to it and to the above-identified granted patent shall be commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the above-identified grant patent, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that the granted patent expires for failure to pay a maintenance fee, is held unenforceable and/or invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or its term is in any manner shortened prior to the

TERMINAL DISCLAIMER OVER PATENT

Terminal Disclaimer

10/061,040
PC10580B

page 2

expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

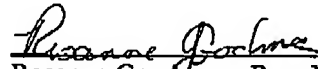
This Terminal Disclaimer is accompanied by a Fee Transmittal Sheet authorizing payment of the appropriate fee under 37 C.F.R. § 1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date:

August 25, 2004



Rosanne Goodman Reg. No. 32,534
Attorney of Record

Pfizer Inc.
2800 Plymouth Road
Ann Arbor, MI 48105
(734) 622-4182

TERMINAL DISCLAIMER OVER PATENT

2